

MESSAGE NO: 5207112 MESSAGE DATE: 07/26/1995

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-122-401, A-122-506, A-423-077,
A-427-030, A-427-078, A-428-061

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 06/01/1991 TO 05/31/1992

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: NON ADMINISTRATIVE REVIEW LIQUIDATION INSTRUCTIONS

MESSAGE NO: 5207112

DATE: 07 26 1995

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

REFERENCE DATE:

CASES: A - 423 - 077

A - 122 - 506

A - 122 - 401

A - 427 - 030

A - 427 - 078

A - 428 - 061

PERIOD COVERED: 06 01 1991 TO 05 31 1992

LIQ SUSPENSION DATE:

TO: REGIONAL DIRECTORS, COMMERCIAL OPERATIONS
DISTRICT, AREA AND PORT DIRECTORS

FROM: DIRECTOR, TECHNICAL PROGRAMS

RE: NON ADMINISTRATIVE REVIEW LIQUIDATION INSTRUCTIONS

1. THE DEPARTMENT OF COMMERCE NO LONGER AUTOMATICALLY CONDUCTS

ADMINISTRATIVE REVIEWS OF ANTIDUMPING DUTY FINDINGS/ORDERS.

INSTEAD, REVIEWS MUST BE REQUESTED IN ACCORDANCE WITH SECTION 353.22
OF THE COMMERCE REGULATIONS.

2. THE DEPARTMENT OF COMMERCE HAS NOT RECEIVED A REQUEST FOR AN
ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY FINDING/ORDER FOR
CERTAIN PERIODS ON THE MERCHANDISE LISTED BELOW, EXCEPT FOR THE
FIRMS NOTED. THEREFORE, IN ACCORDANCE WITH SECTION 353.22(e) OF THE

COMMERCE REGULATIONS, YOU ARE TO ASSESS ANTIDUMPING DUTIES ON
MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR
CONSUMPTION

DURING THE PERIODS LISTED BELOW AT THE CASH DEPOSIT OR BONDING RATE
REQUIRED AT THE TIME OF ENTRY.

SUGAR FROM BELGIUM

PERIOD

A-423-077

LIQUIDATE ALL ENTRIES FOR ALL FIRMS

6/1/91 - 5/31/92

OIL COUNTRY TUBULAR GOODS FROM CANADA

PERIOD

A-122-506

LIQUIDATE ALL ENTRIES FOR ALL FIRMS

6/1/91 - 5/31/92

RED RASPBERRIES FROM CANADA

PERIOD

A-122-401

LIQUIDATE ALL ENTRIES FOR ALL FIRMS

6/1/91 - 5/31/92

EXCEPT

CLEARBROOK PACKERS, INC.

BRITISH COLUMBIA BLUEBERRY CO-OPERATIVE ASSN.

UNIVERSAL PACKERS

MUKHTIAR AND SONS PACKERS, LTD.

VALLEY BERRIES

LARGE POWER TRANSFORMERS FROM FRANCE

PERIOD

A-427-030

LIQUIDATE ALL ENTRIES FOR ALL FIRMS EXCEPT: 6/1/91 - 5/31/92

JEUMONT-SCHNEIDER

SUGAR FROM FRANCE

PERIOD

A-427-078

LIQUIDATE ALL ENTRIES FOR ALL FIRMS

6/1/91 - 5/31/92

BARIUM CARBONATE FROM GERMANY

PERIOD

A-428-061

LIQUIDATE ALL ENTRIES FOR ALL FIRMS

6/1/91 - 5/31/92

3. ENTRIES OF MERCHANDISE OF EXCEPTED FIRMS SHOULD NOT BE LIQUIDATED UNTIL YOU RECEIVE SPECIFIC INSTRUCTIONS AFTER THE COMPLETION OF THE ADMINISTRATIVE REVIEW, CONTINUE TO SUSPEND LIQUIDATION OF ALL ENTRIES OF MERCHANDISE EXPORTED OR PRODUCED BY THE LISTED FIRMS AND ENTERED, OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION DURING THIS PERIOD.

4. THIS TELEX CONSTITUTES THE IMMEDIATE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES FOR THE MERCHANDISE AND PERIODS LISTED ABOVE. YOU SHALL CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

5. UPON ASSESSMENT OF ANTIUDMPING DUTIES, CUSTOMS SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 353.26 OF THE COMMERCE DEPARTMENT REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIATION OF THE ENTRY SUMMARY. IF THE IMPORTER HAS BEEN REIMBURSED ANTIDUMPING DUTIES, CUSTOMS SHOULD DOUBLE THE ANTIDUMPING DUTIES ACCORDANCE WITH

THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER

FAILS TO RESPOND TO YOUR FORMAL REQUEST (VIA 28 OR 29) FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATIONS, CUSTOMS SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE REFERENCED REGULATION.

6. THE ASSESSMENT OF ANTIDUMPING DUTIES BY THE CUSTOMS SERVICE ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CUSTOMS PAY INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES PRIOR TO THE DATE OF THE ANTIDUMPING DUTY ORDER. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS PLEASE CONTACT VIA E-MAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, TECHNICAL PROGRAMS, ANTIDUMPING/COUNTERVAILING DUTY, USING ATTRIBUTE "HQ OAB." THE IMPORTING PUBLIC AND OTHER INTERESTED PARTIES SHOULD CONTACT THE ANALYST IN CHARGE OF THE CASE ON (202) 482-5253, OFFICE OF ANTIDUMPING COMPLIANCE, INTERNATIONAL TRADE ADMINISTRATION, DEPARTMENT OF COMMERCE.

8. THERE ARE NO RESTRICTIONS ON RELEASE OF THIS TELEX.

NANCY MCTIERNAN

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party